

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Demetrius Brown)
vs. Civil Action: 04-0379 Erie
Harley G. Lappin)

NOTICE OF INABILITY OF EFFECTUATE SERVICE

The Under signed Hereby certified that on 09/14/05, the Order and Complaint in the above captioned case, and the Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons were mailed to the above named defendant. No acknowledgment of service has been received, and more than 30 days has elapsed.

Thomas M. Fitzgerald
United States Marshal
Western District of Pennsylvania

By: Sheila Blessing
Administrative Clerk
United States Marshals Service
Western District of Pennsylvania
October 20, 2005

ORDER

AND NOW, this _____ day of _____, 20____, upon consideration of the foregoing Notice of Inability to Effectuate Service,

IT IS ORDERED that the Clerk of Court prepare duplicate Summons and Complaint,

AND IT IS FURTHER ORDERED that the United States Marshal make personal service of those documents upon the above named defendant.